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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,569	03/25/2004	Robert R. O'Brien	60001.0321US01/305661.1	7979

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EXAMINER	
WILLIAMS, CLAYTON R	
ART UNIT	**PAPER NUMBER**
2157	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/809,569	O'BRIEN ET AL.	
	Examiner	Art Unit	
	Clayton R. Williams	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *25 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *07/14/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-18 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-7, 9-13 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos et al., US 6,347,342 (hereinafter Marcos), in view of Bearman, US 2004/0260820 (hereinafter Bearman).

For claim 1, Marcos discloses a method for providing an instant messaging communications channel for communication between objects executing within a managed code environment (Marcos, Abstract), the method comprising:

receiving a request from a first object executing within a managed code environment to transmit data to a second object also executing within a managed code environment (Marcos, col. 7, lines 6-7);

in response to the request, transmitting an instant message including the data to an instant messaging server computer, the message being transmitting utilizing one of the MSNP protocol, the RVP protocol, or the SIP protocol (Marcos, col. 7, lines 16-17, disclosure of server providing proxy component to sending computer to facilitate data transmission);

receiving the instant message at the instant messaging server computer, and forwarding the instant message to the second object (Marcos, col. 7, lines 19-22, disclosure of server forwarding messaging to recipient computer); and

receiving the instant message, extracting the data from the instant message, and presenting the data to the second object (Marcos, col. 7, lines 19-22, disclosure of recipient computer receiving message).

Marcos fails to explicitly disclose utilizing an instant messaging communications channel for communication between objects.

However, Bearman discloses a system that facilitates data exchange between a client and a web service by utilizing an intermediary broker which employs an IM communications medium ([0008] and [0051], lines 2-5, disclosure of system employing SIP and SOAP protocols for communication with web services objects). Marcos and Bearman are analogous art because both are from the field of communication between objects.

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Marcos with those of Bearman, because this modification would

extend the object communications method taught by Marcos to include other communication protocols between network entities, thus extending the range of communication options available to an object-based communications method.

For claim 2, the combination of Marcos and Bearman discloses the method of Claim 1, further comprising:

generating response data at the second object (Marcos, col. 7, lines 65-67, disclosure of system B generating a response message);

receiving a request to transmit the response data from the second object to the first object (Marcos, col. 7, lines 56-60, disclosure of system A receiving response from system B);

in response to the request, transmitting an instant message including the response data to the instant messaging server computer, the message being transmitting utilizing one of the MSNP protocol, the RVP protocol, or the SIP protocol (Marcos, col. 7, lines 55-56, disclosure of symmetry of object messaging method, either system A or system B may either send or receive object messages);

receiving the instant message at the instant messaging server computer, and forwarding the instant message to the first object (Marcos, col. 7, lines 60-65); and

receiving the instant message, extracting the data from the instant message, and presenting the data to the first object (Marcos, col. 7, lines 56-60, disclosure of system

processing object message after receipt).

For claim 3, the combination of Marcos and Bearman discloses the method of Claim 2, wherein the first object is operative to execute within a managed code environment executing on a first computer and wherein the second object is operative to execute within a managed code environment executing on a second computer (Marcos, col. 6, lines 26-28, disclosure of system A and B being separate computers).

For claim 4, the combination of Marcos and Bearman discloses the method of Claim 3, wherein the first and second computers are remotely located from one another (Marcos, col. 6, lines 26-28, disclosure of system A and B being separate computers).

For claim 5, the combination of Marcos and Bearman discloses the method of Claim 1, wherein the first object and the second object are operative to execute within a managed code environment executing on a first computer (Marcos, col. 6, lines 28-30, disclosure of system being separate processes).

For claim 6, Marcos fails to explicitly disclose wherein the instant message comprises a payload containing the data and wherein the payload comprises extensible markup language data formatted according to the simple object access protocol.

However, Bearman discloses a system that facilitates data exchange between a client and a web service which employs XML (Bearman, [0051], lines 1-4). Marcos and Bearman are analogous art because both are from the field of network communication between objects.

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Marcos with those of Bearman, because this modification would extend the object communications method taught by Marcos to include XML-base messaging, a platform independent protocol for exchange of information between disparate system types.

For claim 7, Marcos fails to explicitly disclose wherein the instant messaging server computer is operative to authenticate the first object and the second object.

However, Bearman discloses a system that facilitates data exchange between a client and a web service which employs authentication (Bearman, [0013], lines 2-5). Marcos and Bearman are analogous art because both are from the field of network communication between objects.

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Marcos with those of Bearman, because this modification would extend the object communications method taught by Marcos to include security. Thus, limiting communication access to only those objects/systems which have the appropriate authentication.

For claim 9, the combination of Marcos and Bearman discloses a computer-readable medium having computer-executable instructions stored thereon which, when executed by a computer, will cause the computer to perform the method of Claim 1 (Inherent that disclosed methods of the prior art encompass computer-readable medium with code for execution).

For claim 10, the combination of Marcos and Bearman discloses a computer-controlled apparatus capable of performing the method of Claim 1 (Inherent that computers disclosed in the prior art are capable of performing the disclosed methods).

For claim 11, Marcos discloses a system for providing an instant messaging communications channel for communication between objects executing within a managed code environment (Marcos, Abstract), the system comprising:

an object executing within a managed code environment operative to request the transmission of data to a second object (Marcos, col. 7, lines 6-7); and

a remoting system executing within the managed code environment operative to receive the request from the object and, in response to the request, to transmit an instant message including the data to an instant messaging server computer, the message being transmitting utilizing one of the MSNP protocol, the RVP protocol, or the SIP protocol (Marcos, col. 7, lines 16-17, disclosure of server providing proxy component to sending computer to facilitate data transmission).

Marcos fails to explicitly disclose utilizing an instant messaging communications channel for communication between objects.

However, Bearman discloses a system that facilitates data exchange between a client and a web service by utilizing an intermediary broker which employs an IM communications medium ([0008] and [0051], lines 2-5, disclosure of system employing SIP and SOAP protocols for communication with web services objects). Marcos and Bearman are analogous art because both are from the field of communication between objects.

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Marcos with those of Bearman, because this modification would extend the object communications method taught by Marcos to include other communication protocols between network entities, thus extending the range of communication options available to an object-based communications method.

For claim 12, the combination of Marcos and Bearman discloses the system of Claim 11, further comprising an instant messaging server computer operative to receive the instant message from the remoting system and to forward the instant message to a remoting system executing within a managed code environment within which the second object is executing (Marcos, col. 7, lines 19-22, disclosure of server forwarding messaging to recipient computer).

For claim 13, Marcos fails to explicitly disclose wherein the instant messaging server computer is further operative to authenticate the first object and the second object.

However, Bearman discloses a system that facilitates data exchange between a client and a web service which employs authentication (Bearman, [0013], lines 2-5). Marcos and Bearman are analogous art because both are from the field of network communication between objects.

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of Marcos with those of Bearman, because this modification would extend the object communications method taught by Marcos to include security. Thus, limiting communication access to only those objects/systems which have the appropriate authentication.

For claim 15, the combination of Marcos and Bearman discloses the system of Claim 14, wherein the instant messaging server computer is further operative to receive an instant message containing response data from the second object, the instant message being transmitting utilizing one of the MSNP protocol, the RVP protocol, or the SIP protocol, and wherein the instant messaging server computer is further operative to forward the instant message to the remoting system executing within the managed code environment in which the first object is executing (Marcos, col. 7, lines 65-67, disclosure of system B generating a response message).

For claim 16, the combination of Marcos and Bearman discloses the system of Claim 15, wherein the first object is operative to execute within a managed code environment executing on a first computer and wherein the second object is operative to execute within a managed code environment executing on a second computer (Marcos, col. 6, lines 26-28, disclosure of system A and B being separate computers).

For claim 17, the combination of Marcos and Bearman discloses the system of Claim 16, wherein the first and second computers are remotely located from one another (Marcos, col. 6, lines 26-28, disclosure of system A and B being separate computers).

For claim 18, the combination of Marcos and Bearman discloses the system of Claim 15, wherein the first object and the second object are operative to execute within a managed code environment executing on a first computer (Marcos, col. 6, lines 28-30, disclosure of system being separate processes).

4. Claims 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcos, in view of Bearman, and further in view of Dupont et al, US 6,976,846 (hereinafter Dupont).

For claim 8, the combination of Marcos and Bearman fails to explicitly disclose wherein the instant messaging server computer is further operative to generate a log of messages transmitted between the first object and the second object.

However, Dupont discloses an instant messaging system that logs messages between nodes (col. 7, lines 40-45). The combination of Marcos and Bearman and Dupont are analogous art because both are from the field of instant messaging communication between nodes.

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of the combination of Marcos and Bearman with those of Dupont, because this modification extends the instant messaging service to include message logging.

For claim 14, the combination of Marcos and Bearman fails to explicitly disclose wherein the instant messaging server computer is further operative to generate a log of messages transmitted between the first object and the second object.

However, Dupont discloses an instant messaging system that logs messages between nodes (col. 7, lines 40-45). The combination of Marcos and Bearman and Dupont are analogous art because both are from the field of instant messaging communication between nodes.

It would have been obvious to one skilled in the art at the time of the invention to modify the teachings of the combination of Marcos and Bearman with those of Dupont, because this modification would extend the instant messaging service to include

message logging, thus allowing for record to be kept of communication between network entities.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clayton R. Williams whose telephone number is 571-270-3801. The examiner can normally be reached on M-F (8 a.m. - 5 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jun. 6, 2008
CRW

Clayton R. Williams
Patent Examiner
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/Ario Etienne/

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